

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: SEAN CONRAD KRITZINGER

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

vs.

SEAN CONRAD KRITZINGER

CASE NO: 5-17-00664-JJT

Respondent(s)

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on October 25, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on April 9, 2018.
2. A Confirmation hearing was held and an Order was entered on August 7, 2018 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable Plan.

Respectfully submitted,

s/ Agatha R. McHale, Esq.  
Id: 47613  
Attorney for Trustee  
Charles J. DeHart, III  
Standing Chapter 13 Trustee  
Ste. A, 8125 Adams Drive  
Hummelstown, PA 17036  
Ph. 717-566-6097  
Fax. 717-566-8313  
eMail: amchale@pamd13trustee.com

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**NOTICE**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court Max Rosenn U.S. Courthouse Courtroom #2 197 S. Main Street Wilkes Barre, PA	Date: December 11, 2018 Time: 09:35 AM
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Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

Dated: October 25, 2018

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN SEAN CONRAD  
RE: KRITZINGER

CHAPTER 13

CASE NO: 5-17-00664-JJT

Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE  
Movant

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on October 25, 2018, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail, unless served electronically.

JILL M. SPOTT, ESQUIRE  
SHEILS LAW ASSOCIATES  
108 NORTH ABBINGTON ROAD  
CLARKS SUMMIT, PA 18411

Served electronically

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served electronically

SEAN CONRAD KRITZINGER  
270 SAND RIDGE ROAD  
NEW BERN, NC 28560-

Served by 1<sup>ST</sup> class mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: October 25, 2018

Vickie Williams  
for Charles J. DeHart, III, Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
eMail: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

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**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.